

WESTERN-PACIFIC REGION OSHECCOM ISSUE PAPER

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SUBJECT: IMPLEMENTATION OF FIELD OCCUPATIONAL SAFETY, HEALTH AND ENVIRONMENTAL COMPLIANCE COMMITTEES (OSHECCOMs) FOR AIR TRAFFIC AND OTHER DIVISIONS

BACKGROUND: A recent meeting was conducted between OSHECCOM representatives from the Air Traffic Division, Human Resource Management Division, NAATS, NATCA and the Regional Occupational Safety and Health Manager (ROSHM), to discuss methods that could be used to establish field OSHECCOMs for air traffic facilities. The NAATS and NATCA Agreements do not mandate the establishment of Occupational Safety and Health Committees unless requested by a local Union representative. The OSHECCOM Charter and FAA Order 3900.19A require establishment of Occupational Safety and Health Committees at the field level where distinctly separate activities are performed; however, FAA Order 3900.19A also states that the establishment and functioning of such committees shall be governed by the requirements of the Order or any negotiated labor-management agreement. Our Labor Relations & Training Branch, AWP-16, contacted the Labor & Employee Relations Functional Team, AHR-12, to obtain copies of any agreements between these two Unions and Management that would enforce the requirements of the OSHECCOM Charter or FAA Order 3900.19A, and were told that no agreements regarding this issue were in existence.

FACTS: 1) The OSHECCOM Charter, Section 8., requires the establishment of OSHECCOMs at field levels. 2) The OSHECCOM Charter, Section 9.d., allows separate field committees to be established at facilities where distinctly separate activities are performed (e.g., ARTCC, ATCT, FSS). 3) FAA Order 3900.19A, Paragraph 16., requires the establishment of Occupational Safety and Health Committees within the FAA; however these committees are not required to, nor shall they function in accordance with the provisions of DOL regulations, 29 CFR Part 1960 (this is in direct conflict with the OSHECCOM Charter). This same paragraph allows for the establishment and functioning of Occupational Safety and Health Committees within the agency to be governed by the requirements of any applicable negotiated labor-management agreement. 4) DOL regulations, 29 CFR Part 1960.36(b), does not require agencies to establish Occupational Safety and Health Committees. 5) The NAATS Agreement, Article 57, Section 5, and the NATCA Agreement, Article 53, Section 4, do not require an Occupational Safety and Health Committee to be established unless requested by the local Union representative. These agreements have been negotiated between representatives from their respective Unions and the Federal Aviation Administration. 6) No agreements or Memorandums Of Understanding (MOUs) have been negotiated to establish OSHECCOMs at Air Traffic (AT) field facilities. 7) There are several discrepancies between the documents that are itemized in these facts.

IMPACT: Unable to establish OSHECCOMs at Air Traffic field facilities (ATCTs and FSSs).

ANTICIPATED BENEFITS: 1) Establishment of committees at the field level will institute open channels of communication between employees and management concerning safety, health and environmental matters in Air Traffic workplaces. 2) Employees at Air Traffic field facilities can use their “hands-on” knowledge of workplace operations to assist AT management in improving safety and environmental policies, conditions and practices.

RECOMMENDATIONS: Establish Memorandums of Understanding (MOUs) to bridge the discrepancies between the NATCA and NAATS Agreements and the OSHECCOM Charter.